

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

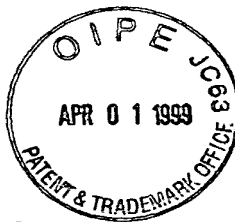
In re the application of:

John H. DOWLING et al

Serial No: 09/151,764

Filed : September 11, 1998

For : OPTICAL SYMBOLOGIES IMAGER



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AUG 17 1999  
TC 2800 MAIL ROOM

Petition  
JUL 13 1999  
3/27/00

PETITION UNDER 37 CFR § 1.47(a) TO ACCEPT THE EXECUTED  
OATH AND DECLARATION WITHOUT THE SIGNATURE  
OF A JOINT INVENTOR

Commissioner of Patents and Trademarks  
Washington, DC 20231

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Sir:

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Pursuant to 37 CFR § 1.47(a), applicant hereby petitions for the acceptance of the Declaration and Power of Attorney in the above-referenced application absent the execution of one of the inventors. In particular, Harry R. McKinley, whose last known address was 58 Rattle Hill Road, Southampton, MA 01073, was unavailable for execution of the simultaneously filed Oath and Declaration, a copy of which is enclosed. Harry McKinley has been out of the country on a remote island in the Caribbean, and despite efforts of applicant to contact Mr. McKinley, he has been unavailable to execute the Declaration. Applicant is continuing efforts to reach the inventor to obtain this signature, and will file it upon its receipt.

Submitted herewith is a check for \$130.00 pursuant to 37 CFR § 1.17(h) to cover the fee for this Petition. Please charge Deposit Account No. 08-2455 any fees necessary to maintain the pendency of the present application. If any issues remain

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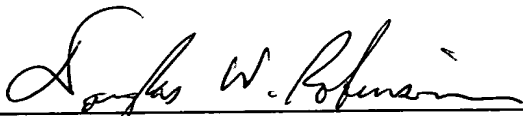
JUL 30 1999

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TC 2800 MAIL ROOM

which can best be solved by a personal or telephone interview, please contact the undersigned attorney at the local telephone number listed below.

Respectfully submitted,

by   
Douglas W. Robinson, Reg. 32,751

April 1, 1999

HOFFMAN, WASSON & GITLER, PC  
2361 Jefferson Davis Highway  
Suite 522  
Arlington, VA 22202  
(703) 415-0100



A-6388

Practitioner's Docket No. \_\_\_\_\_

**PATENT****COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL  
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

- ☒ original.  
☐ design.  
☐ supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

- ☐ divisional.  
☐ continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements — nonprovisional application).

- ☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

OPTICAL SYMBOLOLOGIES IMAGER

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(Declaration and Power of Attorney, 11-11, page 1 of 7)

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JUL 22 1999

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AUG 17 1999

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AUG 17 1999

**SPECIFICATION IDENTIFICATION**

the specification of which:

(complete (a), (b), or (c))

(a) ☐ is attached hereto.

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

(b) ☒ was filed on September 11, 1998 as XX Serial No. 0 9/ 151,764  
or ☐ \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and application number (consisting of the series code and the serial number; e.g., 08/123,456);

"(2) name of inventor(s), serial number and filing date;

"(3) name of inventor(s) and attorney docket number which was on the specification as filed;

"(4) name of inventor(s), title which was on the specification as filed and filing date;

"(5) name of inventor(s), title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(6) name of inventor(s), title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number; e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

Notice of July 13, 1995 (1177 O.G. 60), M.P.E.P. § 601.01(a), 6th ed., rev. 3.

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))**

*(complete the following where a supplemental declaration is being submitted)*

- ☐ I hereby declare that the subject matter of the
- ☐ attached amendment
  - ☐ amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

*(also check the following items, if desired)*

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d))**

NOTE: "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by § 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) must be filed in the case of an interference (§ 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in § 1.17(f). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. § 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

*(complete (d) or (e))*

- (d) ☒ no such applications have been filed.
- (e) ☐ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

(Declaration and Power of Attorney [1-1]—page 3 of 7)

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

_____ / _____	_____
_____ / _____	_____
_____ / _____	_____

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)**  
**UNDER 35 U.S.C. 120**

- ☐ The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete **ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION** for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(List name and registration number)  
DOUGLAS W. Robinson, Reg. No. 32,751  
Hoffman, Wasson & Gitler, P. C.  
2361 Jefferson Davis Highway, Suite 522  
Arlington, Virginia 22202-3876

(check the following item, if applicable)

- ☐ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

- ☒ Address  
DOUGLAS W. Robinson, Phone 703-415-0100  
Hoffman, Wasson & Gitler, P. C. Fax 703-418-2768  
2361 Jefferson Davis Highway  
Suite 522  
Arlington, Virginia 22202-3876
- ☐ Customer Number \_\_\_\_\_

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 CFR § 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

Full name of sole or first inventor

JOHN H. DOWLING  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature John H. Dowling  
Date 3-30-99 Country of Citizenship U. S. A.  
Residence 49 Windemere Way, Nashua, New Hampshire 03063  
Post Office Address 49 Windemere Way, Nashua, New Hampshire 03063  
Nashua

Full name of second joint inventor, if any

HOWARD STERN  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature Howard Stern  
Date 3/31/99 Country of Citizenship U. S. A.  
Residence 89 Derby Avenue, Greenlawn, New York, 11740  
Post Office Address 89 Derby Avenue, Greenlawn, New York 11740

<sup>sixth</sup>  
Full name of ~~third~~ joint inventor, if any

LOUIS ALBERTO FIGARELLA  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature [Signature]  
Date 3-30-99 Country of Citizenship USA  
Residence 27 Todd Rd, Nashua, NH 03060  
Post Office Address 27 Todd Rd, Nashua, NH 03060



**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

Full name of <sup>third</sup> sole or first inventor

Harry  
(GIVEN NAME)

R.  
(MIDDLE INITIAL OR NAME)

McKinley  
(FAMILY OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date March 29, 1999 Country of Citizenship USA

Residence 58 Rattle Hill Road, Southampton, MA 01073

Post Office Address 58 Rattle Hill Road, Southampton, MA 01073

Full name of <sup>fourth</sup> second joint inventor, if any

Philip  
(GIVEN NAME)

E.  
(MIDDLE INITIAL OR NAME)

McKinley  
(FAMILY OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date March 29, 1999 Country of Citizenship USA

Residence 85 West Street, Westford, MA 01886

Post Office Address 85 West Street, Westford, MA 01886

Full name of <sup>fifth</sup> third joint inventor, if any

Jason  
(GIVEN NAME)

J.  
(MIDDLE INITIAL OR NAME)

Lee  
(FAMILY OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date March 30, 1999 Country of Citizenship USA

Residence 86 Harrington Ave., Concord, MA 01742

Post Office Address 86 Harrington Ave., Concord, MA 01742

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

- ☐ **Signature** for fourth and subsequent joint inventors. Number of pages added \_\_\_\_\_

. . .

- ☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

. . .

- ☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

. . .

- ☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)

. . .

- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

. . .

- ☐ Authorization of practitioner(s) to accept and follow instructions from representative.

. . .

(if no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

☒ This declaration ends with this page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

John H. DOWLING et al

Serial No: 09/151,764

Filed : September 11, 1999

For : OPTICAL SYMBOLOGIES IMAGER



PETITION TO CORRECT INVENTORSHIP  
UNDER 37 CFR § 1.48(a)

Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

Applicants hereby petition to correct the inventorship in the above-referenced patent application. The foregoing application was filed naming two inventors, Howard Stern and John Dowling. While these two inventors are indeed inventors of the application, upon a detailed analysis of all of the claims of the application, it was determined that additional inventors had been omitted. In particular, Luis Alberto Figarella was omitted as an inventor, and the review of the claims indicated that he should be named as an inventor with regard to claims 8 and 31. Harry R. McKinley and Philip E. McKinley were omitted as inventors, and should be named as inventors with regard to claims 1, 9, 25, 28, 32 and 37. Finally, Jason J. Lee was omitted as an inventor, and should have been listed as an inventor with regard to claims 27 and 30.

Submitted herewith is a Declaration and Power of Attorney executed by all of the foregoing inventors, except for Harry McKinley, who was unavailable to execute the Declaration. A Petition setting forth the pertinent facts with regard to the unavailability of Harry McKinley is also enclosed.

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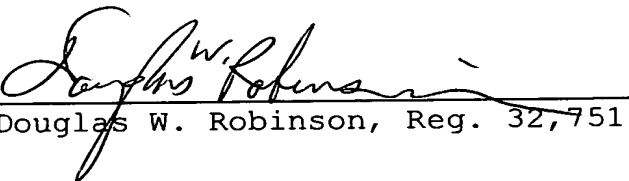
8th Petition  
3/27/00 1.48(a)

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TC 2800 MAIL ROOM

Based on the foregoing, correction of the inventorship of the above-referenced application is respectfully requested. Please charge Deposit Account No. 08-2455 any fees necessary to maintain the pendency of the present application. If any issues remain which can best be solved by a personal or telephone interview, kindly contact the undersigned attorney at the local telephone number listed below.

Respectfully submitted,

by   
Douglas W. Robinson, Reg. 32,751

April 1, 1999

HOFFMAN, WASSON & GITLER, PC  
2361 Jefferson Davis Highway  
Suite 522  
Arlington, VA 22202  
(703) 415-0100

Practitioner's Docket No. A-6388**PATENT****COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

- ☒ original.  
☐ design.  
☐ supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

- ☐ divisional.  
☐ continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements — nonprovisional application).

- ☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

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**TITLE OF INVENTION**  
OPTICAL SYMBOLOGIES IMAGER

(Declaration and Power of Attorney [1-1]—page 1 of 7)

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**SPECIFICATION IDENTIFICATION**

the specification of which:

(complete (a), (b), or (c))

(a) ☐ is attached hereto.

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

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"(2) name of inventor(s), and attorney docket number which was on the specification as filed;  
or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

(b) ☒ was filed on September 11, 1998 as XX Serial No. 0 9/ 151,764  
or ☐ \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

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"(1) name of inventor(s), and application number (consisting of the series code and the serial number; e.g., 08/123,456);

"(2) name of inventor(s), serial number and filing date;

"(3) name of inventor(s) and attorney docket number which was on the specification as filed;

"(4) name of inventor(s), title which was on the specification as filed and filing date;

"(5) name of inventor(s), title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(6) name of inventor(s), title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number; e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

Notice of July 13, 1995 (1177 O.G. 60), M.P.E.P. § 601.01(a), 6th ed., rev. 3.

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))**

(complete the following where a supplemental declaration is being submitted)

- ☐ I hereby declare that the subject matter of the
- ☐ attached amendment
  - ☐ amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

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- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d))**

NOTE: "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by § 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) must be filed in the case of an interference (§ 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in § 1.17(i). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. § 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed.
- (e) ☐ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

(Declaration and Power of Attorney [1-1]—page 3 of 7)

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_ / \_\_\_\_\_  
\_\_\_\_ / \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

- ☐ The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.



**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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**NOTE:** If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete **ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION** for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

*(List name and registration number)*  
DOUGLAS W. Robinson, Reg. No. 32,751  
Hoffman, Wasson & Gitler, P. C.  
2361 Jefferson Davis Highway, Suite 522  
Arlington, Virginia 22202-3876

*(check the following item, if applicable)*

- ☐ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO**

**DIRECT TELEPHONE CALLS TO:**  
*(Name and telephone number)*

☒ **Address**  
DOUGLAS W. Robinson, Phone 703-415-0100  
Hoffman, Wasson & Gitler, P. C. Fax 703-418-2768  
2361 Jefferson Davis Highway  
Suite 522  
Arlington, Virginia 22202-3876

☐ **Customer Number** \_\_\_\_\_

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 CFR § 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

Full name of sole or first inventor

JOHN H. DOWLING  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature John H. Dowling  
Date 3-30-99 Country of Citizenship U. S. A.  
Residence 49 Windemere Way, Nashua, New Hampshire 03063  
Post Office Address 49 Windemere Way, Nashua, New Hampshire 03063  
Nashua

Full name of second joint inventor, if any

HOWARD STERN  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature Howard Stern  
Date 3/31/99 Country of Citizenship U. S. A.  
Residence 89 Derby Avenue, Greenlawn, New York, 11740  
Post Office Address 89 Derby Avenue, Greenlawn, New York 11740

<sup>Sixth</sup>  
Full name of ~~third~~ joint inventor, if any

LUIS ALBERTO FIGARELLA  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature [Signature]  
Date 3-30-99 Country of Citizenship USA  
Residence 27 Todd Rd, Nashua, NH 03060  
Post Office Address 27 Todd Rd, Nashua, NH 03060

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 CFR § 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

Full name of <sup>third</sup> sole or first inventor

Harry R. McKinley  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date March 29, 1999 Country of Citizenship USA

Residence 58 Rattle Hill Road, Southampton, MA 01073

Post Office Address 58 Rattle Hill Road, Southampton, MA 01073

Full name of <sup>fourth</sup> second joint inventor, if any

Philip E. McKinley  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date March 29, 1999 Country of Citizenship USA

Residence 85 West Street, Westford, MA 01886

Post Office Address 85 West Street, Westford, MA 01886

Full name of <sup>fifth</sup> third joint inventor, if any

Jason J. Lee  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)

Inventor's signature \_\_\_\_\_

Date March 30, 1999 Country of Citizenship USA

Residence 86 Harrington Ave., Concord, MA 01742

Post Office Address 86 Harrington Ave., Concord, MA 01742

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

- ☐ **Signature** for fourth and subsequent joint inventors. Number of pages added \_\_\_\_\_

. . .

- ☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_

. . .

- ☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_

. . .

- ☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)

. . .

- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

. . .

- ☐ Authorization of practitioner(s) to accept and follow instructions from representative.

. . .

(if no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

☒ This declaration ends with this page.